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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/507,185	09/10/2004	Yukihito Ichikawa	121069	8959
25944	7590	10/30/2007		
OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850			EXAMINER YOUNG, NATASHA E	
			ART UNIT 1797	PAPER NUMBER
			MAIL DATE 10/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/507,185

Applicant(s)

ICHIKAWA, YUKIHITO

Examiner

Natasha Young

Art Unit

1797

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The examiner is unsure of the meaning of "a thickness of the shielded cell in a diametric direction of the honeycomb structure is 10% or less of an outer diameter of the honeycomb structure". The examiner interprets the thickness of the shield cell does not change but that the outer diameter of the honeycomb structure is smaller at one end than the other end and the difference varies by 10%.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 15-20, 22, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Mitsuharu (JP 2001-179054).

Regarding claim 15, the Mitsuharu reference teaches a honeycomb structure comprising: a cell structural part including a plurality of cells partitioned by partition walls in a honeycomb shape to form flow paths allowing a fluid to flow therein; and an outer wall disposed on an outer peripheral surface of the cell structural part, characterized in that an outermost peripheral cell positioned in an outermost periphery of the cell structural part and a predetermined number of cells (outer peripheral cells) positioned in an inner direction from the outermost peripheral cell among the cells are sealed by an inner peripheral surface of the outer wall in an end portion and/or an intermediate portion of at least one of the outermost peripheral cell and the outer peripheral cell in a central axis direction to form shielded cells which prevent the fluid from flowing (see Drawings 1 and 2).

Claim 16 is dependent on claim 15 such that the same reasoning for rejecting claim 15 is used to reject the dependent part of the claim.

Regarding claim 16, the Mitsuharu reference teaches the honeycomb structure according to claim 15, wherein a thickness of the shielded cell in a diametric direction of the honeycomb structure is 10% or less of an outer diameter of the honeycomb structure (see Drawings 1 and 2). From the drawing, it is shown that the shielded cell's thickness from smaller end of the honeycomb structure to the larger end of the honeycomb structure varies from 10% or less of the outer diameter of the larger end of the honeycomb structure.

Claim 17 is dependent on claim 15 such that the same reasoning for rejecting claim 15 is used to reject the dependent part of the claim.

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Regarding claim 17, the Mitsuharu reference teaches the honeycomb structure according to claim 15, wherein the cell structural part and the outer wall are constituted of ceramic materials (see paragraph 0023).

Claim 18 is dependent on claim 15 such that the same reasoning for rejecting claim 15 is used to reject the dependent part of the claim.

Regarding claim 18, the Mitsuharu reference teaches the honeycomb structure according to claim 15, wherein the cell structural part and the outer wall are constituted of metal materials (see paragraph 0023).

Claim 19 is dependent on claim 15 such that the same reasoning for rejecting claim 15 is used to reject the dependent part of the claim.

Regarding claim 19, the Mitsuharu reference teaches the honeycomb structure according to claim 15, wherein the cell structural part contains a material having an adsorption function or a catalyst function (see paragraph 0023).

Claim 20 is dependent on claim 15 such that the same reasoning for rejecting claim 15 is used to reject the dependent part of the claim.

Regarding claim 20, the Mitsuharu reference teaches the honeycomb structure according to claim 15, wherein the outer wall is constituted of ceramics or metals, such as cordierite (see paragraph 0023), which is known to be a heat-resistant material (see Taguchi paragraph 0017).

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Regarding claim 22, the Mitsuharu reference teaches a catalyst body comprising a honeycomb structure comprising: a cell structural part including a plurality of cells partitioned by partition walls in a honeycomb shape to form flow paths allowing a fluid to flow therein; and an outer wall disposed on an outer peripheral surface of the cell structural part, wherein an outermost peripheral cell positioned in an outermost periphery of the cell structural part and a predetermined number of cells (outer peripheral cells) positioned in an inner direction from the outermost peripheral cell among the cells are sealed by an inner peripheral surface of the outer wall in an end portion and/or an intermediate portion of at least one of the outermost peripheral cell and the outer peripheral cell in a central axis direction to form shielded cells which prevent the fluid from flowing, the honeycomb structure supporting a catalyst inside the cells and/or inside the partition walls (see Drawings 1 and 2).

Claim 23 is dependent on claim 22 such that the same reasoning for rejecting claim 22 is used to reject the dependent part of the claim.

Regarding claim 23, the Mitsuharu reference teaches the catalyst body according to claim 22, wherein the catalyst has a function of purifying an automobile exhaust gas (see paragraph 0001).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuharu (JP 2001-179054) in view of Gadkaree et al ((US 5,750,026).

Claim 21 is dependent on claim 15 such that the same reasoning for rejecting claim 15 is used to reject the dependent part of the claim.

Regarding claim 21, the Mitsuharu reference teaches the honeycomb structure according to claim 15, for use as a filter (see Abstract).

The Mitsuharu reference does not teach the opposite end portions of the cells in the central axis direction are alternately plugged.

The Gadkaree et al reference teaches the opposite end portions of the cells in the central axis direction are alternately plugged (see Abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Mitsuharu with the teachings of Gadkaree et al to because the plugging configuration allows more intimate contact between fluid or workstream medium and the activated carbon adsorbent, especially in the case of a liquid medium (see Gadkaree et al column 5, 2nd paragraph).

Response to Arguments

Applicant's arguments, see page 4, line 11 through page 5, line 2, filed August 27, 2007, with respect to the rejection(s) of claim(s) 15-20, 22, and 23 under USC 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Mitsuharu (JP 2001-179054).

Conclusion

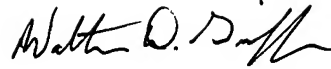
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natasha Young whose telephone number is 571-270-3163. The examiner can normally be reached on Mon-Thurs 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Griffin can be reached on 571-272-1447. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read "Walter D. Griffin".

WALTER D. GRIFFIN
SUPERVISORY PATENT EXAMINER